

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF MAY 1998

BEFORE

THE HON'BLE MR. JUSTICE T. N. VALLINAYAGAM

WRIT PETITION NUMBER 14648 OF 1998

BETWEEN:

B. Jayanarayana Naik,
s/o B. Ramanan Naik,
Age Major, Alepty,
Baddadka, Sulya, D.K.

.. Petitioner ..

(By Sri C.S. Shanthamallappa, Advocate.)

AND

1. Karnataka State Transport
Appellate Tribunal,
III Floor, M.S. Building,
Dr. Ambedkar Veedhi,
Bangalore-1 by its
Presiding Officer.

2. Secretary,
Regional Transport Authority,
D.K., Mangalore.

3. Regional Transport Authority,
D.K. Mangalore.

.. Respondents ..

(By Sri R.K. Hatti, HCGP)

...2.

..2..

Writ petition filed under articles 226 and 227 of the Constitution of India, praying to quash vide Annexure-A, B & C dated 23.2.1995, 16.5.1997 and 16.5.1998 and grant one year time to replace the existing vehicle and permit the petitioner to operate with the existing vehicle bearing No.KA-19-22 and etc.,

Writ petition coming on for prly. hearing this day, the Court made the following:-

O R D E R

The petitioner in this writ petition prays for some reasonable time to replace the existing vehicle which is less than 10 years old and permit the petitioner to operate service by the existing vehicle bearing No.KA-19-22. When this writ petition was taken up for hearing, the learned Government Pleader was directed to take notice for the limited purpose to find out as to whether it is possible to grant time for the petitioner to run his vehicle on the road. But unfortunately the learned Government Pleader is not able to do the same. However, taking into consideration the averments made in the petition I deem it just and proper to give time to the petitioner to replace the vehicle before the expiry of the period of the Fitness Certificate, ie. upto 25.11.1998.

This writpetition is allowed.

Sd/- JUDGE.

*CDR.

r. by : A.S. Saindhava 23/6/98

c. bv : *[Signature]* 23/6/98

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Assistant Registrar

High Court of Karnataka

Bangalore-560 001